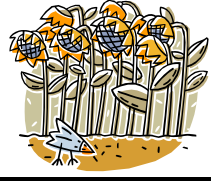




# YOLO COUNTY FSA NEWS



Volume 4

August 2006

## **Yolo County FSA**

221 W. Court, Suite 3B  
Woodland, CA 95695  
(530) 662-3986 x 2  
(530) 662-4876 FAX

## **Hours:**

Monday – Friday  
8:00 AM – 4:30 PM

## **County Committee:**

Tom Slater, Chairperson  
Randy Timothy, Vice  
Chairperson  
Robert Paschoal, Member  
Rudy Lucero Jr., Advisor  
Marlene Schuler, Advisor

## **County Executive**

### **Director:**

Marianne A. Morton

## **County Office Staff:**

Janet Aguilar- *Come in to  
meet our newest staff  
member, who is training in  
DCP, acreage reporting  
and Farm Records!*

Nathan Bohl  
Robert Currey  
Caroline Walgenbach



This office will be closed  
on September 4<sup>th</sup> in  
observance of Labor Day

## **2005 FINAL CC RATES FOR WHEAT, BARLEY AND OATS**

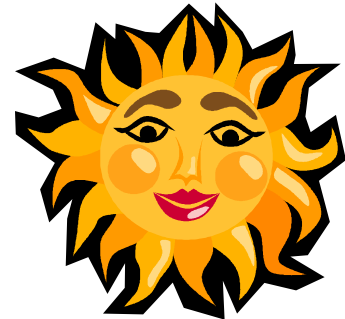
The Farm Security and Rural Investment Act of 2002 provides for counter-cyclical (CC) payments for covered commodities and oilseeds for crop years 2002 – 2007.

First advance 2005 CC payments for barley were issued in October 2005; second advance 2005 CC payments for barley were issued in February 2006. Wheat and oats did not receive advance CC payments.

Final 2005 CC payment rates for wheat and oats are zero because their effective prices equal or exceed their respective target prices. Barley is entitled to a final 2005 CC payment of \$0.13/bu because its effective price was below the target price. The effective price equals the direct payment rate, plus the higher of the national average loan rate or the national average farm price.

The 2005 final peanut CC rate will be announced in September 2006; corn, cotton, grain sorghum and

soybeans in October 2006; and rice in February 2007.



## **KEEP TRACK OF HEAT- RELATED LOSSES**

Even though the recent heat wave has finally broken, its effects linger. Around the state, many thousands of dairy cows, turkeys and chickens have died from the triple-digit temperatures. Other producers have suffered milk production losses or had grapes shrivel on the vine.

If you have had a loss as a result of the high heat, we suggest that you report the loss to your local Agricultural Commissioner and to us at the County FSA Office.

There is no FSA program in place at this time to respond to the losses; however, it is always a good idea to document what has happened on your farm or ranch.

## **PAYMENT LIMITATION/ELIGIBILITY**

USDA payments and benefits are subject to producer eligibility and limitation provisions. Documents and forms to determine eligibility are reviewed on an annual basis. It is your responsibility to report changes in your farming operation that may affect payment eligibility and payment limitation. Entities such as corporations, limited partnerships, trusts and estates are required to provide names, addresses, and ID numbers of their members. You must provide the office with documentation of who can sign on behalf of the entity. Other payment limitation (PL) requirements to consider are:

- No program benefits subject to limitation may be provided until all required forms for the specific situation are provided and the necessary PL and payment eligibility determinations are made.
- The producer or the County Committee (COC) may initiate PL and eligibility determinations.
- All producers are subject to year-end-reviews to ensure operations are farmed according to the way your PL is filed.
- Spouses may be considered separate "persons" for PL if this determination is requested and the applicable requirements are met.
- A determination of "not actively engaged in farming" results in program ineligibility.
- Noncompliance with the adjusted gross income (AGI) provisions, either by exceeding the \$2.5 million limitation or by failure to submit the applicable certification statement, will result in the determination of ineligibility for all program benefits subject to the AGI provisions; program benefits shall be reduced in an amount that is commensurate with the direct and indirect interest held by an ineligible individual or entity in any entity, general partnership or joint operation that receives benefits subject to the AGI limitation.
- There are statutory provisions that require entities earning program benefits that are subject to PL to provide the names, addresses and ID numbers of the entities' members to the COC and to inform the entities' members of the requirements for designating "permitted entities."

The following is a list of programs requiring PL determinations and the maximum payment limit:

<i>Payment Type</i>	<i>Limitation (In Dollars)</i>					
	2002	2003	2004	2005	2006	2007
Direct payments on covered commodities except peanuts	40,000					
Counter-cyclical payments on covered commodities except peanuts	65,000					
Total of the following for all loan commodities except wool, peanuts, mohair and honey: gains from marketing loans; and LDP'S	75,000					
Total of wool, peanuts, mohair and honey	75,000					
Conservation Reserve Program	50,000					
Non-insured Crop Disaster Assistance Program	100,000					
Trade Adjustment Assistance Program	10,000					
Tree Assistance Program	75,000					
Emergency Conservation Program	200,00					

### **HIGHLY ERODIBLE LAND AND WETLAND COMPLIANCE**

Operators are reminded that in order to receive payments, compliance with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions are required. Farmers with HEL soils need to be aware of tillage, crop residue and rotation requirements as specified in their conservation plans. It is very important that you contact our office before modifying (e.g., tiling, draining, dredging, filling or leveling) any wetland or drainage ditch. Failure to obtain advance approval for any of these situations can result in

loss of all Federal payments and eligibility.

### **SPOUSAL SIGNATURE AUTHORITY**

A husband and wife can sign documents on behalf of each other for FSA and CCC programs in which either has an interest unless a written request for exclusion is made to the County Office from either spouse. A husband and wife cannot sign FSA-211 or FSA-211-1 (Power of Attorney) on behalf of the other.



### **CONTROLLED SUBSTANCE**

Any person convicted under federal or state law of a controlled substance violation could be ineligible for USDA payments or benefits. Violations include planting, harvesting or growing a prohibited plant (e.g., marijuana, opium poppies and other drug producing plants).

### **FOREIGN LANDOWNER NOTIFICATION**

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the

Secretary of Agriculture. FSA administers this program for USDA. Foreign persons who have purchased or sold agricultural land in the county are required to report the transaction to FSA within 90 days of the closing. Failure to submit the AFIDA form could result in civil penalties of up to 25% of the fair market value of the property. County government offices, realtors, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements. It is the foreign person's responsibility to report the land transactions.

### **DIRECT DEPOSIT**

Payments from FSA are required by law to be directly deposited into a producer's savings or checking account. Our office will send you a transaction statement indicating the payment type and amount. All producers were required to have initiated Electronic Funds Transfer (EFT) by January 1, 1999. Any person may request a waiver of EFT if it poses a financial or personal hardship. It is important that any changes to your account be provided to the county office promptly to avoid possible payment delay.

### **RECORD CHANGES**

Participation in FSA farm programs requires all records to be accurate and up to date. It is the producer's responsibility to inform FSA of changes to his/her farming operation including, but not limited to: land ownership changes, adding or dropping a tract of land (leases), entity type or ID number changes, marriage, divorce, deaths or changes in your financial institution for direct deposit. A copy of the deed must be submitted for ownership changes; copies of written lease agreements must be submitted for all cash leases.



*Laura Hernandez resigned on July 7<sup>th</sup> to become Office Administrator of the UCD Immigration Law Clinic. The COC, FSA staff and Yolo County producers thank her for seven years of dedicated service and wish her success in her new position.*

### **DEBT COLLECTION IMPROVEMENT ACT OF 1996**

The DCIA provides, among other things, that a person owing a delinquent nontax debt to the Federal Government is ineligible for Federal financial assistance, including direct loans (other than disaster loans) or loan insurance or guarantee. The Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2001 amended DCIA to exclude marketing assistance loans or loan LDP's from the restrictions on barring delinquent Federal debtors from obtaining Federal loans or loan guarantees. Proceeds received from MAL's and LDP's will be offset against any delinquent debt owed by the producer to FSA. Proceeds from MAL's and LDP's to producers who are members of corporations, partnerships or other entities will be offset against the producer's pro rata share of entity payments after notification of the intent to offset has been provided to the nonborrower entities.

### **DESIGNATION BY LANDOWNER**

When land with contract acres is sold, those contract acres normally transfer with the land to the new owner based on a cropland ratio. However, the landowner and purchaser can agree to divide the contract acres in any manner that is mutually agreeable. To use this designation by landowner method, the land sold must have been owned for at least three years and the owner and purchaser must sign a memorandum of understanding

designating contract acres before completing the sale. If you have questions, please contact our office for details before selling your land.

### **CIVIL RIGHTS/ DISCRIMINATION PROCESS**

As a participant in or applicant for programs or activities operated or sponsored by USDA, you have the right to be treated fairly. If you believe you have been discriminated against because of your race, national origin, gender, age, religion, disability or marital or familial status, you may file a discrimination complaint. The complaint should be filed with the USDA Office of Civil Rights within 180 days of the date you became aware of the alleged discrimination. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Room 326-S.W., Whitten Building, Stop 9410 Washington DC 20250-9410 or call (202) 720-5964 (voice or TDD).



### **FRAUD MAY LEAD TO DISQUALIFICATION**

Producers found to have committed crop insurance fraud are ineligible for a number of programs administered by FSA and CCC. Any person found to have committed fraud will receive a notice and will have an opportunity for a hearing on the record. The person may be disqualified from receiving any benefits under a number of programs for a period of up to 5 years. Other sanctions may also apply.

## **IMPORTANT DATES**

9/01/2006	2007 NAP forage application closing date
9/04/2006	Labor Day – office closed
9/29/2006	2006 DCP sign-up deadline (with \$100 per farm late-file fee) <b><i>ALL SIGNATURES MUST BE SUBMITTED BY THIS DATE!</i></b>
October 2006	2005 final corn, cotton, GS and soybean CC rates announced 2006 first advance CC rates announced 2006 DCP final direct payments issued
10/01/2006	2007 DCP sign-up begins
10/01/2006	Beginning of first 60-day managed grazing period on CRP
10/09/2006	Columbus Day – office closed
11/23/2006	Thanksgiving Day – office closed
11/29/2006	End of first 60-day managed grazing period on CRP
December 2006	Begin issuing 2007 DCP advance direct payments <b><i>(Note: 22% of the 2007 direct DCP payment will be issued as an advance; the remaining 78% will be issued in October 2007)</i></b>
12/01/2006	Beginning of 120-day managed grazing period on CRP
12/04/2006	Final date to return LAA-3 election ballots
12/25/2006	Christmas Day – office closed
February 2007	2005 final rice CC rate announced 2006 second advance CC rates announced

*The United States Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disabilities, political beliefs and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio type, etc.) should contact the USDA's TARGET Center at (202) 702-2661 (voice and TDD). To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250 or call (800) 245-6340 (voice) or (202) 720-1127 (TDD). USDA is an Equal Opportunity Employer.*

UNITED STATES DEPARTMENT OF AGRICULTURE  
Yolo County Farm Service Agency  
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Woodland, CA 95695



**[www.fsa.usda.gov](http://www.fsa.usda.gov)**